

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

11 PATRICK ALLEN,

No. C12-03769 CRB

12 Petitioner,

**ORDER VACATING WRIT**

13 v.

14 ERIC ARNOLD,

15 Respondent.

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17 In light of the letter sent to this Court on October 23, 2015 by L. David Nefouse on  
18 behalf of nonparty Alameda County Sheriff's Office ("ASCO") (dkt. 40), this Court  
19 VACATES the writ issued on October 19, 2015 (dkt. 39). ASCO, Respondent, and any other  
20 interested party may file an opposition to Petitioner's Ex Parte Motion for Writ of Habeas  
21 Corpus (dkt. 36-3) within seven (7) days of this Order, if they wish to do so,<sup>1</sup> and Petitioner  
22 may file a reply within fourteen (14) days of this Order, if he wishes to do so. Petitioner may  
23 also withdraw his Ex Parte Motion in light of the issues raised in Mr. Nefouse's letter, or

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<sup>1</sup> In the absence of any separately filed opposition, the Court will consider Mr. Nefouse's letter to be ASCO's opposition.

1 seek an alternate means of arranging a meeting between Petitioner and his experts.

2 **IT IS SO ORDERED.**

3 Dated: October 28, 2015



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5 CHARLES R. BREYER  
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7 UNITED STATES DISTRICT JUDGE  
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